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7  
8 IN THE UNITED STATES DISTRICT COURT FOR THE  
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 APPROXIMATELY \$9,960.00 IN U.S.  
14 CURRENCY,

15 Defendant.

2:05-MC-00035 DFL

**STIPULATION AND ORDER  
EXTENDING THE UNITED STATES'  
TIME TO FILE A COMPLAINT FOR  
FORFEITURE AND/OR TO OBTAIN AN  
INDICTMENT ALLEGING FORFEITURE**

16 It is hereby stipulated by and between the United States of  
17 America and claimants Ramon Ramirez and Osbaldo Ramirez  
18 ("Claimants"), by and through their respective attorney, as  
19 follows:

20 1. On or about December 20, 2004, Claimants filed claims, in  
21 the administrative forfeiture proceedings, with the Drug  
22 Enforcement Administration with respect to the approximately  
23 \$9,960.00 in U.S. Currency (the "currency"), which was seized on or  
24 about September 22, 2004.

25 2. The Drug Enforcement Administration has sent the written  
26 notice of intent to forfeit required by 18 U.S.C. § 983(a)(1)(A) to  
27 all known interested parties. The time has expired for any person  
28

1 to file a claim to the currency under 18 U.S.C. § 983(a)(2)(A)-(E),  
2 and no person other than the Claimants have filed a claim to the  
3 currency as required by law in the administrative forfeiture  
4 proceeding.

5 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is  
6 required to file a complaint for forfeiture against the currency  
7 and/or to obtain an indictment alleging that the currency is  
8 subject to forfeiture within 90 days after a claim has been filed  
9 in the administrative forfeiture proceedings, unless the court  
10 extends the deadline for good cause shown or by agreement of the  
11 parties.

12 4. By Stipulation and Order filed March 22, 2005, the parties  
13 stipulated to extend to July 11, 2005, the time in which the United  
14 States is required to file a civil complaint for forfeiture against  
15 the currency and/or to obtain an indictment alleging that the  
16 currency is subject to forfeiture.

17 5. By Stipulation and Order filed July 20, 2005, the parties  
18 stipulated to extend to October 11, 2005, the time in which the  
19 United States is required to file a civil complaint for forfeiture  
20 against the currency and/or to obtain an indictment alleging that  
21 the currency is subject to forfeiture.

22 6. By Stipulation and Order filed October 18, 2005, the  
23 parties stipulated to extend to December 16, 2005, the time in  
24 which the United States is required to file a civil complaint for  
25 forfeiture against the currency and/or to obtain an indictment  
26 alleging that the currency is subject to forfeiture.

1        7. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish  
2 by agreement to further extend to March 16, 2006, the time in which  
3 the United States is required to file a civil complaint for  
4 forfeiture against the currency and/or to obtain an indictment  
5 alleging that the currency is subject to forfeiture.

6        8. Accordingly, the parties agree that the deadline by which  
7 the United States shall be required to file a complaint for  
8 forfeiture against the currency and/or to obtain an indictment  
9 alleging that the currency is subject to forfeiture shall be  
10 extended to March 16, 2006.

11 DATED: 12-16-05

McGREGOR W. SCOTT  
United States Attorney

12  
13        /s/ Phillip A. Talbert  
PHILLIP A. TALBERT  
Assistant U.S. Attorney  
14

15  
16 DATE: 12-9-05

/s/ Jan David Karowsky  
JAN DAVID KAROWSKY

17 \_\_\_\_\_  
Attorney for Claimant Ramon Ramirez  
18

19 DATE: 12/13/05

/s/ Michael Long  
MICHAEL LONG

20 \_\_\_\_\_  
Attorney for Claimant Osbaldo Ramirez  
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(Original signatures retained by  
Attorney)  
22

23        **IT IS SO ORDERED.**  
24

25 DATE: 12/19/2005

/s/ David F. Levi  
DAVID F. LEVI

26 \_\_\_\_\_  
United States District Judge  
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